

S/N 10/791,041

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Nikolaj S. Bjorner	Examiner:	Bell, Corey C.
Serial No.:	10/791,041	Group Art Unit:	2164
Filed:	03/01/2004	Confirmation No.:	1264
		Docket No.:	14917.0457USU1
Title:	INTERVAL VECTOR BASED KNOWLEDGE SYNCHRONIZATION FOR RESOURCE VERSIONING		

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CERTIFICATE:

I hereby certify that this correspondence is being electronically filed with the U.S. Patent Office on February 21, 2008.

By:

  
Mary C. Nefter

**RESPONSE TO REQUIREMENT FOR INFORMATION UNDER 35 CFR § 1.105**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Dear Sir:

This document is being submitted in response to the Requirement for Information under 35 CFR § 1.105 issued on January 23, 2008 in the present application. Below we provide answers to the interrogatories and the request for documents included in the Requirement for Information.

## INTERROGATORIES

### First Interrogatory

*Was the claimed subject matter of the invention first shipped as part of Distributed File System Replication, first shipped as part of Windows Server 2003 (R2) on the 5th of December 2005?*

- The claimed subject matter is part of Distributed File System Replication, which was included in Windows Server 2003 R2. Windows Server 2003 R2 had two beta versions that were made available to beta testers and some customers. The first beta version was made available on the 8th of December 2004, and the second beta version was made available on the 20th of April 2005. Windows Server 2003 R2 was released to manufacturing (RTM) on the 5th of December 2005.

### Second Interrogatory

*Was the claimed subject matter of the invention shipped on the 15th of December 1999 as part of Windows 2000?*

- No. Relevant dates of when the claimed invention was released in a product are described above in response to the first interrogatory.

### Third Interrogatory

*Was a final resolution or decision with regard to the novelty or obviousness of the instant invention reached in Commission v. Microsoft (COMP/C-3/37792), and if a resolution or decision was reached what was the resolution or decision?*

- A final resolution regarding the novelty or obviousness of the claimed invention was not reached. The issue of novelty and obviousness of the claimed invention arose in a disagreement with the European Commission regarding the terms under which Microsoft's communication protocols should be licensed. Microsoft and the European Commission agreed upon licensing terms without any final resolution regarding the novelty or obviousness of the claimed invention.

## **REQUEST FOR DOCUMENTS**

### **First Request**

*Any documents filed in response to Microsoft's reply to argument's filed on August 31, 2007 in Commission v. Microsoft.*

- There were no documents filed in response to Microsoft's filing on the 31<sup>st</sup> of August 2007.

### **Second Request**

*Any documents containing final resolution or decision of the novelty or obviousness of the instant claimed invention.*

- As discussed above, there was no final resolution or decision regarding the novelty or obviousness of the claimed invention, and therefore there are no documents that contain information regarding final resolution of the novelty or obviousness of the claimed invention.

## CONCLUSION

This document fully responds to the Request for Information mailed on January 23, 2008. Should any additional issues need to be resolved, the Examiner is respectfully requested to telephone the undersigned to attempt to resolve those issues.


It is believed that no fees are due with the filing of this document. However, the Commissioner is hereby authorized to charge any deficiencies or credit any overpayment with respect to this patent application to deposit account number 13-2725.

Respectfully submitted,

Dated: February 21, 2008

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PATENT TRADEMARK OFFICE

  
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